

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

VERONICA M. MARRY (7),
DAVID D. SPRAGG (22),
HEIDI S. ELLIOTT (28),

Defendants.

NO: 2:14-CR-0168-TOR-7
2:14-CR-0168-TOR-22
2:14-CR-0168-TOR-28

PROTECTIVE ORDER

BEFORE THE COURT are the United States' Motion for Protective Order (ECF No. 525) and Motion to Expedite (ECF No. 526). The matters were submitted for consideration without oral argument. The Court has reviewed the motions and the file herein and is fully informed. The government moves the Court for a protective order regulating disclosure of the discovery materials and the sensitive information contained therein (the "Discovery") to defense counsel in connection with its discovery obligations. For good cause shown, the motions are granted.

1 **ACCORDINGLY, IT IS HEREBY ORDERED:**

2 1. The United States' Motion for Protective Order (ECF No. 525) and
3 Motion to Expedite (ECF No. 526) are **GRANTED**.

4 2. The United States is authorized to disclose the discovery and sensitive
5 information materials (hereinafter "Discovery") in its possession pursuant to the
6 discovery obligations imposed by this Court.

7 3. Government personnel and counsel for Defendant shall not provide, or
8 make available, the Discovery to any person except as specified in this Order or by
9 approval from this Court. Therefore, defense counsel and the Government shall
10 restrict access to the Discovery, and shall only disclose the Discovery to their
11 client, office staff, investigators, independent paralegals, necessary third-party
12 vendors, consultants, and/or anticipated fact or expert witnesses to the extent that
13 defense counsel believes is necessary to assist in the defense of their client in this
14 matter or that the government believes is necessary in the investigation and
15 prosecution of this matter.

16 4. Third parties contracted by the United States or defense counsel to
17 provide expert analysis or testimony may possess and inspect the Discovery, but
18 only as necessary to perform their case-related duties or responsibilities in this
19 matter. At all times, third parties shall be subject to the terms of this Order.
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1 5. Discovery in this matter will be made available to defense counsel on
2 compact discs (“CDs”) and/or digital video discs (“DVDs”). Defense counsel shall
3 retain these discovery CDs/DVDs. If necessary to provide discovery to their
4 respective clients, defense counsel may duplicate the CDs/DVDs only once. In
5 order to provide discovery to a necessary third-party vendor, consultant, and/or
6 anticipated fact or expert witness, defense counsel may duplicate the CDs/DVDs
7 only once. No other copies of the CDs/DVDs shall be made, by defense counsel or
8 Defendants, without prior approval from this Court.

9 6. To the extent that defense counsel makes any portion of the Discovery
10 available in paper format to anyone, including their client, outside of counsel’s
11 office, defense counsel shall ensure that any and all sensitive information is
12 redacted or removed. Such redaction/removal shall include, but shall not be
13 limited to, the following: (a) all Social Security, identification card, driver’s
14 license, birth certificate, and taxpayer identification numbers; (b) all business and
15 employer names, locations, addresses, as well as salary information; (c) residential
16 and business addresses; (d) all dates of birth, organ donor information, telephone
17 numbers, and email addresses; (e) all lease, bill, or other payment amounts; and (f)
18 all information identifying the contents and routing and account number(s) of any
19 financial account, including bank, trust, and retirement account(s).

1 7. All counsel of record in this matter, including counsel for the United
2 States, shall ensure that any party, including Defendant, that obtains access to the
3 Discovery is provided a copy of this Order. No other party that obtains access to
4 or possession of the Discovery shall retain such access or possession unless
5 authorized by this Order, nor further disseminate the Discovery except as
6 authorized by this Order. Any other party that obtains access to, or possession of,
7 the Discovery once the other party no longer requires access to or possession of the
8 Discovery shall promptly destroy or return the Discovery once access to Discovery
9 is no longer necessary. For purposes of this Order, “other party” is any person
10 other than counsel for the United States, counsel for Defendant, or Defendant.

11 8. All counsel of record, including counsel for the United States, shall
12 keep a list to identify each person to whom the Discovery is disclosed and who was
13 advised of the requirements of this Order. Neither counsel for Defendant, nor the
14 counsel for the United States, shall be required to disclose this list of persons
15 unless so ordered to do so by the Court.


16 9. Upon entry of a final order of the Court in this matter and conclusion
17 of any direct appeals, government personnel and counsel for Defendant shall
18 retrieve and destroy all copies of the Discovery, except that counsel and
19 government personnel may maintain copies in their closed files following their
20 customary procedures.

1 10. Government personnel and counsel for Defendant shall promptly
2 report to the Court any known violations of this Order.

3 The District Court Executive is hereby directed to enter this Order and
4 furnish copies to counsel.

5 **DATED** February 5, 2015.



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8 THOMAS O. RICE
9 United States District Judge
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